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PETITION OF

CAVALIER TELEPHONE, LLC

CASE NO. PUC990191

**For arbitration of interconnection
rates, terms and conditions, and related relief**

HEARING EXAMINER'S RULING

October 27, 2000

By Hearing Examiner's Ruling of August 9, 2000, Cavalier Telephone, LLC ("Cavalier") and Verizon were directed to file jointly with the Commission a list of unresolved issues, as well as a list of resolved issues, on or before September 1, 2000.

By letter dated September 1, 2000, Cavalier and Verizon reported that certain issues had been resolved and remaining issues were being addressed in ongoing negotiations. The parties advised that they were working toward resolution of the unresolved issues and requested leave to file a further progress report by October 2, 2000. The request was granted by Ruling dated September 13, 2000.

By letter dated October 2, 2000, Cavalier and Verizon advised that they continue to discuss issues set forth in Cavalier's complaint of October 18, 1999. However, Cavalier requests that the Commission immediately adopt measurements and standards for on-time loop installations and related issues. Specifically, Cavalier requests immediate action by the Commission on nine unresolved issues set forth in the letter. On the other hand, Verizon maintains that standards, measures, and penalties are more appropriately addressed in ongoing dockets.

I find that a procedural schedule and hearing date should be established to address the unresolved issues set forth in the October 2, 2000 letter. I further find, that where possible, data filed by the parties shall be reported in the same format as the Metrics in the Virginia Carrier to Carrier Guidelines adopted August 11, 2000. Accordingly,

IT IS DIRECTED THAT:

1) On or before December 1, 2000, Cavalier shall prefile with the Commission an original and fifteen (15) copies of direct testimony pertaining to the issues set forth in the joint letter of October 2, 2000. Where appropriate, the testimony shall include the number of occurrences, duration of occurrences, and any suggested performance standard or remedy that should be adopted, if any. Counsel shall also serve a copy of the prefiled testimony on Staff counsel and opposing counsel;

2) On or before January 8, 2001, Verizon shall file an original and fifteen (15) copies of its testimony pertaining to the issues set forth in the joint letter of October 2, 2000. Where appropriate, the testimony shall include number of occurrences, duration of occurrences, and any suggested performance standard or remedy that should be adopted, if any. Counsel shall serve a copy of the prefiled testimony on Staff counsel and opposing counsel;

3) On or before January 22, 2001, Verizon and Cavalier shall file an original and fifteen (15) copies of any rebuttal testimony and shall simultaneously serve a copy on Staff counsel and opposing counsel;

4) On January 29, 2001, Cavalier and Verizon shall file a joint matrix setting forth issues resolved and issues unresolved; and

5) A hearing on this matter is hereby scheduled for February 13, 2001 at 10:00 a.m. in a Commission Courtroom in the Tyler Building, 1300 East Main Street, Richmond, Virginia.

Howard P. Anderson, Jr.
Hearing Examiner